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**Letter dated 11 February 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council**

The Counter-Terrorism Committee has received the attached report from Armenia, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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**Annex**

## Note verbale dated 8 February 2002 from the Permanent Mission of Armenia to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of the Republic of Armenia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and has the honour to attach herewith the report of the Republic of Armenia pursuant to paragraph 6 of Security Council resolution 1373 (2001) (see enclosure).

## Enclosure

### Report by the Republic of Armenia pursuant to paragraph 6 of Security Council resolution 1373 (2001)

Armenia has constantly condemned terrorism and terrorist acts perpetrated both within a country or internationally.

With the full understanding of the necessity to combat such acts, Armenia readily joined the global struggle to abolish the terrorism network because the success of this effort is as important for all countries as it is for the coalition leaders.

To this end Armenia has offered unreserved assistance to the global coalition, signed the UN and Council of Europe anti-terrorism conventions, and offered military and strategic assistance. Armenia opened its airspace and provided the necessary facilities for the anti-terrorism operation.

The new draft law on tighter export and import controls aimed at ensuring secure control over the illegal exports and imports, including those in hazardous goods, is currently under elaboration at the Government.

**Actions taken**

In its statement of September 12, the Government of Armenia strongly condemned the act of terror and stressed that the implications of the tragedy do not stop with the United States, but impact the entire world community. Armenia considers this an attack not only against the US but against all peace-loving, democratic peoples everywhere. Nothing justifies such wanton disregard for human life.

On October 8, following the start of the counter-terrorism operation, the Ministry of Foreign Affairs of Armenia issued a statement, in which Armenia again reaffirmed its commitment to the coalition combating against international terrorism, remaining convinced that international terrorism threatens not just individual states, but the entire civilized world. The struggle against such terrorism must be firm and persistent.

In September-October, 2001 the State Civil Aviation Administration adopted a series of measures aimed at enhancing the security and safety of aircraft and air travel.

In the light of the above and pursuant to the relevant resolutions of the Security Council, particularly resolution 1373 (2001), the Government of Armenia has taken following steps.

**Operative paragraph 1**

Sub-paragraph (a) --- In November 2001, as a step towards the consolidation of the international effort to combat terrorism, and in the spirit of the implementation of the UN Security Council resolution 1373(2001), Armenia signed the *International Convention on the Suppression of the Financing of Terrorism*, now pending ratification at the National Assembly.

Cognizant of the importance to combat terrorism at all levels, Armenia signed the *European Convention of the Suppression of Terrorism* and ratified the *Treaty on the Cooperation between the Ministries of Interior of the CIS Participating States for the Suppression of Terrorism*.

Sub-paragraph (b) --- Three articles of the Armenian Criminal Code deal directly with terrorism:
Article 61. 'Terrorist act,' Article 62. 'Terrorist act against a representative of a foreign state,' Article 63. 'Economic terrorism.' They incur criminal punishment for assassination of state officials in the line of duty, aimed at the destruction or weakening of the state, for assassination of representatives of a foreign state aimed at provoking an international crisis, for explosions, or any similar act, which cause mass casualties, disruption of

communication, destruction of industry or buildings, as well as mass poisoning or spread of epidemic among people or animals.

Sub-paragraph (c) --- Article 926 of the Civil Code entitles the banks to freeze the accounts and assets of individuals and organizations. However, Article 44 of the Constitution states, that the 'fundamental human and civil rights and freedoms established under Articles 23-27 of the Constitution, may only be restricted by law, if necessary for the protection of the state and public security, public order, public health and morality, and the rights, freedom, honor and reputation of others.

Article 40 of the "Law on Banks and Banking," prohibits transaction of the unlawfully acquired assets in Armenia. The Central Bank is entitled to determine measures aimed at prevention of such transactions.

The Central Bank, has circulated among all the banks operating in Armenia lists of names of individuals associated with the terrorist organizations and has instructed to freeze any accounts belonging to those individuals or organizations and stop any transaction, immediately submitting the relevant information to the Central Bank. Up to date, no transaction related to such individuals or organizations has been registered in Armenia.

New improved mechanisms have been developed for bank reporting and exchange of information between the Central Bank and the commercial banks operating in Armenia.

**Operative paragraph 2**

Sub-paragraph (a) --- Article 72 of the Criminal Code establishes creation of armed groups aimed at offences against state or non-governmental institutions, organizations or individuals, as well as participation in such acts, as serious criminal offences, which should incur long-term sentence.

Illegal or non-licensed possession, carrying, production of arms, ammunition, or explosives, as well as transport and sale of weapons is punishable with up to 5 years of imprisonment. (Criminal Code, Article 232)

Any transaction in weapons is regulated through the *Law on Arms*, which indicates the types of arms, restrictions imposed upon them, certification, state registry of arms, issuance of license, the right to purchase arms, as well as control over arms transaction, which is within the authority of the Government, the Ministry of Interior, Administration of Statistics and Certification.

Armenia has brought a significant contribution to the creation of the Anti-Terrorism Center of the CIS participating states and its database.

Jointly with the Ministry of Interior of the Russian Federation, The Ministry of Interior of Armenia has implemented the *Joint plan of action of the Interior Ministries of the Russian Federation and the Republic of Armenia on prevention of trafficking in arms, armaments, explosives, and to combat terrorism.*

Sub-paragraph (b) --- Armenia is party to the September 8, 2000 Agreement of the Ministries of Interior of the CIS participating states *On the cooperation of the Ministries of Interior for the Suppression of Terrorism*. The parties to the Agreement should exchange information, implement agreed measures aimed to prevention of terrorist acts and investigate such acts.

The Armenian National Bureau of the Interpol has created a new database, which includes information on 49 individuals associated with terrorist organizations and 52 organizations related to them.

The Ministry of Interior has submitted to the Ministry of National Security 5 information packages on the identification of the victims of terrorist acts.

Upon the request from the Secretariat of the Interpol and the US National Bureau of the Interpol, relevant Armenian authorities have carried out identification of 31 individuals allegedly related to the terrorist act of September 11, 2001. None of those identifications has been confirmed.

The Armenian National Bureau of the Interpol has created a special section to accumulate all data related to the terrorist acts of September 11, 2001.

Sub-paragraph (c) --- *The Law on the Status of Foreign Citizens in the Republic of Armenia* entitles the authorities to deny requests for the issuance of entry visa (Article 8).

Article 6 of the *Law on Refugees* entitles the authorities to deny refugee status in specific cases, particularly if the applicant

- could endanger the national security
- has committed crime against peace and humanity or a war crime before the entry into Armenia
- is sentenced by an International Tribunal for crimes violating the aims and principles of the United Nations

The joint operation *Border-barrier* of the participating states of the Borjomi Four was carried out December 2000. A similar operation for border regions is scheduled for 2002.

Sub-paragraph (d) --- Under Article 62 of the Criminal Code perpetrators of terrorist acts against foreign states or citizens can be sentenced for 10 to 15 of imprisonment.

Sub-paragraph (e) --- Article 7.1 of the Criminal Code lists terrorist acts under serious criminal offenses, which incur sentence for up to 15 years.

Sub-paragraph (f) --- Armenia is party to the June 4, 1999 Agreement among the CIS participating countries on the Cooperation for the *Suppression of Terrorism*, which provides for exchange of expertise and information, operative investigation, exchange of expertise regarding the drafting and implementation of relevant legislation, other joint activity aimed at prevention and investigation of terrorist acts.

Sub-paragraph (g) --- The border control in Armenia is regulated through the *Law on the State Border*. Article 11 of the Law provides that the crossing of the state border is controlled by the border troops, upon presentation by the individuals of relevant entry/exit documents.

Individuals who attempt to illegally cross the border into or out of Armenia without a valid passport or a permission of a state authority should be brought under criminal responsibility with a sentence from one to three years (Article 78 of the Criminal Code). Forgery or use of forged identity papers and travel documents are also punishable under Article 213 of the Criminal Code.

**Operative paragraph 3**

Sub-paragraphs (a), (b), (c) --- The cooperation in the fields indicated in these sub-paragraphs is regulated through a number of international agreements to which Armenia is party

- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 1971
- Convention for the Suppression of Unlawful Seizure of Aircraft, The Hague, 1970
- Agreement on Cooperation between the Ministries of Interior of the CIS Participating States in Combating Terrorism, September, 2000
- Agreement between the CIS Participating States on Combat against Terrorism, June 4, 1999

*Sub-paragraph (d)* --- Armenia is member to the following UN Conventions,

- Convention on Offences and Certain Acts Committed on Board Aircraft
- Convention for the Suppression of Unlawful Seizure of Aircraft
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation
- Convention on the Prevention and Punishment of Crimes against Internationally protected Persons, including Diplomatic Agents
- Convention on the Physical Protection of Nuclear Material

In November 2001, as a step towards the implementation of the relevant Council resolutions Armenia signed the *International Convention on the Suppression of the Financing of Terrorism*, pending the ratification at the National Assembly.

Being a land-locked country, Armenia is not party to the *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation* (Rome, 1988) and its *Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf* (Rome, 1988).

*Sub-paragraph (f)* --- *Law on Refugees* entitles the authorities to deny refugee status in specific cases, particularly if the applicant

- granting such status could endanger the national security
- has committed crime against peace and humanity or a war crime before the entry into Armenia
- is sentenced by an International Tribunal for crimes violating the aims and principles of the United Nations

Article 55 of the Constitution states that the President "shall decide on the granting of political asylum."

Sub-paragraph (e) --- Article 19.2 of the *Law on the Legal Status of the Foreign Citizens* entitles the Ministry of Interior to impose restrictions upon the free movement of persons holding a temporary residency status in the case of the internal political instability.

Article 32 of the same Law indicates the cases when a foreign citizen can be administratively deported from the country.

Foreign citizens who are under charges for a crime committed on a territory of another state, and a request for extradition has been submitted by that state or an international institution, can be extradited in accordance with the provisions of international agreements.

Armenia is currently a party to a number of multilateral and bilateral agreements, namely,

-- *Convention of the Transfer of Sentenced Persons* (Strasbourg, 1983) and its *Additional Protocol* of 1997.

-- *CIS Convention on the Extradition of Indicted Criminal for the Service of the Sentence*, 1998.

The Government of Armenia is prepared to submit to the CTC the text of any legislation relevant to the provisions of the UNSC resolutions.